

REMARKS

Reconsideration of the application is requested.

Claims 14-23, 25, and 26 remain in the application. Claims 14-23, 25, and 26 are subject to examination.

Under the heading "Claim Rejections – 35 USC § 102" on page 7 of the above-identified Office Action, claims 14-18, 20, 22-23 and 25-26 have been rejected as being fully anticipated by U.S. Publication No. 2004/0203589 to Wang et al. under 35 U.S.C. § 102. Applicants respectfully traverse.

Claim 14 includes steps of:

assigning a specific set of the useful information in each case to a user identity, with the specific set of the useful information being used to control and evaluate at least one message transmitted from the communication unit or the message traffic of the communication unit to be logged; and

allocating the user identity to an application of the communication unit.

The claimed combination of limitations assigns a specific set of useful information to each user identity and also allocates each user identity with an application of the (transmitting) communication unit.

Before discussing the prior art, applicants will discuss the claimed features with detailed references to portions of the published application that explain those features and that explain the advantages obtained therefrom. It is hoped that this will assist the Examiner in better understanding the invention.

Since one communication unit can have several user identities assigned to it, one or several filter instructions can be explicitly assigned to a specific user identity. Thus, one user identity is in each case assigned expediently to one application (This is explained at paragraph 0036 of the published application).

The inventive method advantageously controls and evaluates the message traffic of a communication unit. With the aid of one or several useful items of information of the respective communication unit, varying and individual decisive rules for controlling and evaluating can be considered for varying communication units (This is explained at paragraph 0004 of the published application).

Furthermore, the inventive method makes it possible to log the message traffic of an application of the respective communication unit advantageously. Since the logging is performed on an application basis, the logging can be made dependent upon the contents, thus the message data contained in the individual items of information. Thus, when logging, the amount of data of information with multimedial contents, such as, for example, video sequences

or language recordings, can be registered as a data volume with costs and items of information with control information can be excluded from the logging (This is explained at paragraph 0005 of the published application).

Thus, corresponding to the object achieved with the present invention, the control and evaluation of the message traffic of a communication unit is provided in a simple and efficient manner by a network unit within a mobile radio system (This is explained at paragraph 0002 of the published application).

Wang discloses a white list and a black list, which are associated with a participant (See Fig. 3 and paragraphs 0026-0028, 0032 and 0019 of Wang). Wang discloses logging junk emails on certain preconditions. However, Wang does not disclose logging individual applications of one and the same transmitting communication unit.

Wang does not disclose and does not suggest the limitations of claim 14 that have been discussed above.

Claim 23 includes a processing unit for deciding whether at least one of the messages of the message traffic can, on a basis of at least one item of useful information of the communication unit, be forwarded to a second network unit for further processing or can be blocked, said processing unit further deciding whether at least one of the messages of the message traffic can, on a basis of at least one item of the useful information assigned to the communication unit,

be logged by the first network unit in a logfile, with a specific set of the useful information being assigned to a user identity in each case, with the specific set of useful information being used to control and evaluate at least one of the messages transmitted from the communication unit or the message traffic of the communication unit to be logged, and with the user identity being allocated to an application of the communication unit.

The discussion provided above with regard to claim 14 also applies to claim 23.

Applicants believe it should be clear that the invention defined by claims 14 and 23 is not anticipated or suggested by Wang.

Under the heading "Claim Rejections – 35 USC § 103" on page 13 of the above-identified Office Action, claim 19 has been rejected as being unpatentable over U.S. Publication No. 2004/0203589 to Wang et al. in view of U.S. Publication No. 2002/0199095 to Bandini et al. under 35 U.S.C. § 103. Applicants respectfully traverse.

Applicants believe that even if the teachings of Wang and Bandini were combined, the invention as defined by claim 19 would not have been suggested because of the deficiencies in the teaching of Wang that has been discussed above with regard to claim 14.

Additionally, Bandini teaches filtering the incoming messages based upon different attributes wherein the sender address of the incoming message is compared with the addresses in a SPAM databank in order to filter out SPAM messages.

However, Bandini does not teach anything related to the efficient control of applications of transmitting communication units. In particular, Bandini does not teach the limitations of claim 14 that have been discussed above.

Since neither Wang nor Bandini teach filtering messages based on an application of a transmitting communication unit, the claimed invention could not have been suggested.

Under the heading "Claim Rejections – 35 USC § 103" on page 14 of the above-identified Office Action, claim 21 has been rejected as being unpatentable over U.S. Publication No. 2004/0203589 to Wang et al. in view of U.S. Publication No. 2004/0203432 to Patil et al. under 35 U.S.C. § 103. Applicants respectfully traverse.

Applicants believe that even if the teachings of Wang and Patil were combined, the invention as defined by claim 21 would not have been suggested because of the deficiencies in the teaching of Wang that has been discussed above with regard to claim 14.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 14 or claim 23. Claims 14 and 23 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 14 or claim 23.

In view of the foregoing, reconsideration and allowance of claims 14-23, 25, and 26 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of one month pursuant to Section 1.136(a) in the amount of \$130.00 in accordance with Section 1.17 is enclosed herewith.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Sterner LLP, No. 12-1099.

Appl. No. 10/589,906
Reply to Office Action of December 8, 2010
Amdt. Dated April 5, 2011

Respectfully submitted,

/Mark P. Weichselbaum/
Mark P. Weichselbaum
(Reg. No. 43,248)

MPW:cgm

April 5, 2011

Lerner Greenberg Sterner LLP
P.O. Box 2480
Hollywood, Florida 33022-2480
Tel.: (954) 925-1100
Fax: (954) 925-1101